



แพทยสภา

The Medical Council of Thailand

Announcement of the Medical Council of Thailand

60/2023

Title : The Requirements for Permission granting to foreign physicians working as consultant or specialists to practice medicine in Thailand

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Based on the paragraph 21(dorchada) of Medical Practice Act B.E. 2525 (1982), and Part five Control of the Medical Practices Section 26 No one shall carry out the medical practices or represent that he is ready to carry out the medical practices unless he is a medical practitioner under this Act, except in the following cases : (6) the medical practices carried out by the authority's advisers or experts having the licenses to carry out the medical practice from foreign countries, together with the authorization of the Committee; therefore the committee of the Medical Council of Thailand announced, on the 12th April 2023, the rules for the permission to be given to foreign physicians to practice medicine in Thailand while they are working as consultant or specialists :

1. To comply with the new announcement, the previous announcements shall be deleted.

(1) Announcement of the Medical Council No. 1/2011 concerning the medical practice of the advisors/government experts holding the foreign medical practice license.

(2) Announcement of the Medical Council No. 34/2022 concerning the conditions applied to the advisors/ government experts holding the foreign medical practice license.

2. Permission Consideration :

Permission to be granted to foreign physicians working as consultant or specialists to practice medicine in Thailand will be complied with the Announcement of the Medical Council of Thailand 60/2023

3. Permission process :

Working units or institutions entitled to apply for the permission :

The Ministry of Public Health, other governmental health institutions; governmental enterprise on central, regional and local level will have the authority to file applications for the permission on behalf of the foreign medical consultant or specialist.

The application form for the permission as outlined should be sent to the Secretary-General of the Medical Council of Thailand at least two months prior to the date the permission is requested; the period of two months is specified after receiving of the application form.

4. Required qualification of the consultant or specialist :

Possessing a medical degree or certificate from the institution he/she has graduated from and holding a valid medical license approved by the Medical Council of his/her country of origin or residence.

In case a medical degree or medical license is not available, permission can be granted in case of a favorable consideration by the committee of the Medical Council of Thailand.

5. Application form :

a) The application form must state the name and the detail of the project in which the consultant or specialist is attached to as well as the place, and duration of the project.

b) The name of the consultant or specialist must be given according to his/her name shown in his/her passport; in case of a Thai passport, the name has to be written both in Thai and English.

c) The name of the working unit under which the consultant/specialist will practice medicine in relation to the project must be given.

d) The name of a Thai physician who already holds a permission of the Medical Council of Thailand and who will be supervising the foreign consultant/ specialist throughout the project period must be indicated.

e) Photocopies of documents and certificates certified by the working unit mentioned must be enclosed with the application form: Those photocopies are:

- Photocopy of the medical degree of the foreign
- Photocopy of a valid medical license of the foreign consultant/specialist (obtained from the relevant institution of his/her country of origin or residence)
- Two recent photos 2"x 2" (not older than one year)
- Education/working record
- Photocopy of passport

f) 1. Written document or appointment order for advisor/ government expert holding the foreign medical practice license to be the governmental officer or state employee (as the official responsibility Acts 1996 clauses 4 and 5)

2. In case of being non-governmental officer/state employee (as the official responsibility Acts 1996 clauses 4 and 5), written document to certify the amount of responsibility of the person in case of occurrence of any damage- related to his/her medical professional practice signed by the highest-ranking officer of the department or legal authority of the department (responsibility of the department)

As such, the supervised department or manager of the department shall be responsible of any damage incurred if the case was issued to the civil court.

However, the criminal issue will be individually responsive.

g) An insurance certificate covering any damage to patients caused by medical practice of such advisor/expert as stated by the Medical Council

6. Duration fo Permission:

The period for the individual permission will not exceed one year, and will not be beyond the validation of the medical license of the foreign physician.

7. The permission letter will be issued by the Medical

Council of Thailand with the details mentioned below :

- Name of the consultant/specialist
- Name of the project
- Name of physician supervising and the working unit responsible for the medical practice of the consultant/specialist throughout the project
- The place where the medical practice is being carried out (it is not allowed to practice medicine outside the area the permission has been requested for).
- The project duration period
- Other conditions as defined by the Medical Council of Thailand

8. Application fee for the temporary medical license

Applicant must pay the application fee of THB 2,000 /person / time by transaction to the Siam Commercial Bank, Ministry of Public Health branch, Book number 340-2-01174-4, Medical Council, and send the payment slip to the Medical Council at e-mail : **rg@tmc.or.th** The application fee is subjected to change according to the decision made by the Committee of the Medical Council and its announcement.

9. The consultant/specialist has to observe the following rules and conditions :

9.1 The consultant/ specialist who received the permission has to strictly observe the Thai law in connection with the Medical Practice Act B.E. 2525 (1982) and the regulations of the Medical Council of Thailand in the same way as other physicians who received the medical license from the Medical Council of Thailand

9.2 The Medical Council of Thailand may ask its health unit to follow up, observe and evaluate the project the consultant/specialist is working with.

9.3 The working unit that applied for the permission must be always aware of the contact address of the consultant/ specialist while he/ she is working in Thailand and must also know his/her address of his/her country of residence after he/she has completed working in Thailand.

9.4 Consultant/specialist must send a report about his/her medical practice within the project to the Medical Council of Thailand every six months or according to the period requested by the Medical Council of Thailand.

9.5 The Medical Council of Thailand may consider termination of the permission before its due time if the working unit mentioned in section 1 does not follow the regulation laid down by the Medical Council of Thailand, or if the consultant/specialist who received the permission does not follow the Thai law and the Medical Practice Act B.E. 2525 (1982) or violate other regulations of the Medical Council of Thailand.

Awareness of the working unit and the consultant/ specialist about the Thai laws :

1. The penalty related to the criminal law shall be referred to the person conducting the criminal acts.

2. The punishment related to the civil law shall be referred to the civil and commercial code of Thailand

3. The moral responsibility of the applicant (consultant/specialist) is based on the Medical Practice Act B.E. 2525 (1982),

Laws directly involved :

According to the law section 43, physicians who practice medicine in Thailand without the permission of the Medical Council of Thailand shall be sentenced up to 3 years of incarceration or be fined up to THB 30,000 or both Therefore, this particular law is issued and announced to be followed by physicians and working units involved.

Announced on 24th May, B. E. 2566 (2023)



(Dr. Somsri Pausawasdi)
President, the Medical Council of Thailand

Note at the end of the announcement of the Medical Council of Thailand 60/2023

Section 4. In this Act:

“**Official**” means civil servant, staff member, employee or other kinds of officer regardless of their appointment as a committee member or any other positions;

“**State agency**” means a ministry, sub-ministry, department or another government agency called otherwise and having the status of department, provincial administration, local administration and state enterprise established by a legislative act or a royal decree, and shall inclusively mean another government agency which is set to be a state agency under this Act.

Section 5. A state agency shall be liable to an injured person for the consequences of a tortious act committed by its official in the course of his performance of duty. In this case, the injured person may directly sue the state agency but cannot sue the official. If the tortious act is committed by an official who is subordinate to none of the state agencies, the Ministry of Finance shall be deemed the liable state agency under paragraph one.